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Docket No. 111590-120



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bernard John Carroll)

Serial No.: 09/701,926)

Group Art Unit: Not Yet Assigned

Filing Date: December 4, 2000)

Examiner: Not Yet Assigned

For: Phenotype Modifying Genetic Sequences)

United States Patent and Trademark Office
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I hereby certify that this correspondence is being submitted by Express Mail, Label No. EL 727 326 495 US, Postage Pre-Paid, Addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on	
Date: December 10, 2001	Reg. No. 34,045
Signature: <u>M. Lisa Wilson</u> M. Lisa Wilson	

Sir:

**RESPONSE TO NOTIFICATION OF DEFECTIVE
 RESPONSE AND PRELIMINARY AMENDMENT**

In response to the Notification of Defective Response, dated November 8, 2001 (hereafter "Notice"), Applicant respectfully requests entry of the present Preliminary Amendment in the above-identified patent application.

IN THE SPECIFICATION:

Please delete the section entitled "Sequence Listing" and replace such deleted section with the replacement section provided in Appendix A. A marked-up version of the deleted pages is attached as Appendix B.

REMARKS

The Notification of Defective Response indicates that the previously submitted Sequence Listing does not comply with the requirements of 37 C.F.R. § 1.822 or 1.823. In response thereto, Applicant submits this preliminary amendment, revised paper copy of a Sequence Listing as well as a copy of the Sequence Listing in Computer Readable Form ("CRF") as required under 37 C.F.R. § 1.821(e). Pursuant to 37 C.F.R. § 1.821(f), Applicant hereby states that the sequence listing information recorded in computer readable form is identical to the paper

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